

DISCUSSION OF THE AMENDMENT

Claim 1 has been amended by limiting the repeating unit (A1) as supported in the specification at the paragraph bridging pages 5 and 6; by reciting that the content of repeating unit (B1) is based on the polymer; by reciting that the polymer is dissolved or dispersed in water, as supported in the specification at page 4, lines 21-23; and by replacing "if necessary" with the equivalent --optionally--.

New Claims 17-19 have been added, drawn to a method of imparting stain proofing to an article.

No new matter is believed to have been added by the above amendment. Claims 1-3 remain active. Claims 4-16 stand withdrawn from consideration. Claims 17-19 are either active or if not, subject to rejoinder.

REMARKS

The present invention is drawn to a stain-proofing agent comprising a particular polymer, dissolved or dispersed in water.

The rejections of Claims 1-3 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over, U.S. 2,993,032 (Stuart et al), U.S. 5,399,611 (Mathai), U.S. 5,977,275 (Rodrigues et al), U.S. 5,981,738 (Cook et al), or U.S. 4,447,562 (Ivani), are all respectfully traversed.

Stuart et al discloses an oil-based lubricant composition containing various polymeric additives which are copolymers of monomers (A) particular oil-solubilizing compounds, (B) particular esters of polar group-containing mono- or di-carboxylic acids, and optionally (C) particular acidic compounds (paragraph bridging columns 3 and 4).

Mathai discloses hydroxy-functional polyester reactive diluents having at least one hydroxy group per molecule (column 3, lines 15-19), which are prepared by reacting a triol with an unsaturated monocarboxylic acid (column 4, lines 10-13), which may be further modified by copolymerization with at least one acrylic monomer and preferably a hydroxy-substituted acrylic monomer (column 5, lines 6-10).

Rodrigues et al discloses a polymer which imparts soil resistance to an article (column 2, lines 55-56), which polymer is water-soluble or water-dispersible and has pendant polysaccharide moieties containing at least two hydroxyl groups, and units having a cross-linkable functional group (paragraph bridging columns 3 and 4 and column 6, lines 30-32).

Cook et al discloses ethylenically unsaturated cellulose acetate esters containing carboxylic acid pendant groups attached to a particular polymeric backbone, which backbone contains a residue of alternative halves of an anhydroglucose unit (column 2, line 36 through column 3, line 10).

Ivani discloses pharmaceutical compositions comprising particular aminopolysaccharides and copolymers thereof (paragraph bridging columns 2 and 3).

None of the above-applied prior art discloses or otherwise suggests the presently-claimed invention. None except Rodrigues et al discloses any stain-proofing utility. But Rodrigues et al neither discloses nor suggests a polymer containing presently-recited repeating unit (A1). Stuart et al's composition is an oil-based system, not a solution or dispersion in water. The hydroxy-functional polyester diluents of Mathai are disclosed as used with various paint vehicles such as acrylic lacquers and enamels, nitrocellulose lacquers, alkyd enamels, polyester enamels and polyurethane enamels (paragraph bridging columns 6 and 7), which is antithetical to a solution or dispersion thereof in water. Neither Cook et al nor Ivani disclose nor suggest a polymer containing presently-recited repeating unit (A1).

For all the above reasons, it is respectfully requested that these rejections be withdrawn.

The rejection of Claims 1-3 under 35 U.S.C. § 103(a) as unpatentable over JP 08-41416 (Maeda et al), is respectfully traversed. Maeda et al discloses a fluororesin coating composition which is stated to develop no deterioration/discoloration even under long-term outdoor exposure on buildings and outdoor structures and excellent in weathering resistance and contamination resistance with no rain traces developed, which composition is obtained by incorporating (A) a fluorocopolymer produced by copolymerization of a particular monomer mixture comprising chlorotrifluoroethylene, a copolymerizable vinyl compound, a hydroxyl-containing polymerizable compound, such as glycerol monoallyl ether [0009], and a carboxyl-containing polymerizable compound, with (B) a water-soluble polyether-modified silicone oil having in the molecule at least a dimethylsiloxane structural unit and an ethylene oxide structural unit (English Abstract). However, Maeda et al's polymers are **not** derived

from the monomers now recited for repeating unit (A1) in Claim 1. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Indeed, the rejection is now moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that it be withdrawn.

All of the presently pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

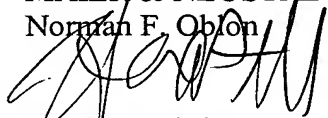
Respectfully submitted,

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Harris A. Pitlick
Registration No. 38,779

NFO:HAP\la